

Senate Bill 31

By: Senators Rhett of the 33rd, Kirkpatrick of the 32nd and Jackson of the 2nd

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 1 of Title 35 of the Official Code of Georgia Annotated, relating to  
2 general provisions regarding law enforcement officers and agencies, so as to clarify that law  
3 enforcement officers shall not be liable at law for any action or actions done while  
4 performing any duty at the scene of an emergency under certain circumstances; to provide  
5 for definitions; to provide for no liability of law enforcement officers for rescuing persons  
6 or pets out of certain vehicles; to provide for related matters; to repeal conflicting laws; and  
7 for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Chapter 1 of Title 35 of the Official Code of Georgia Annotated, relating to general  
11 provisions regarding law enforcement officers and agencies, is amended by revising Code  
12 Section 35-1-7, relating to liability of law enforcement officers performing duties at the scene  
13 of an emergency, as follows:

14 "35-1-7.

15 (a) As used in this Code section, the term:

16 (1) 'Emergency' means an occurrence involving, or appearing to involve, a clear and  
imminent danger or threat to life, health, or property, including, but not limited to, the  
rescuing of a person or pet out of a locked vehicle when such person or pet remaining  
within such vehicle presents a clear and imminent danger to such person's or pet's life or  
health.

21 (2) 'Law enforcement officer' means any peace officer who is employed by this state or  
any political subdivision thereof and who is required by the terms of his or her  
employment, whether by election or appointment, to give his or her full time to the  
preservation of public order or the protection of life and property or the prevention of  
25 crime. Such term shall include sheriffs and deputy sheriffs.

26       (3) 'Pet' means any domesticated animal normally maintained in or near the household  
27       of its owner.

28       (b) A law enforcement officer shall not be liable at law for any action or actions done  
29 while performing any duty at the scene of an emergency except for gross negligence,  
30 willful or wanton misconduct, or malfeasance. ~~As used in this Code section, the term 'law~~  
31 ~~enforcement officer' means any peace officer who is employed by this state or any political~~  
32 ~~subdivision thereof and who is required by the terms of his employment, whether by~~  
33 ~~election or appointment, to give his full time to the preservation of public order or the~~  
34 ~~protection of life and property or the prevention of crime. Such term shall include sheriffs~~  
35 ~~and deputy sheriffs."~~

## SECTION 2.

37 All laws and parts of laws in conflict with this Act are repealed.